

DEPARTMENT OF THE ARMY OFFICE OF THE SECRETARY OF THE ARMY

OFFICE OF THE SECRETARY OF THE ARMY WASHINGTON, DC 20310

6 November 1985

| MEMORANDUM FOR | | | CHIEF, | LEGISLATION | DIVISION, | STAT |
|----------------|--------|------------|----------|-------------|-----------|------|
| | OFFICE | OF LEGISLA | TIVE LIA | AISON/CIA | | |

SUBJECT: Intelligence Community Legislative Program for the Second Session of the 99th Congress

- 1. Per your request for comments on subject program by COB 6 November, I am providing the following:
- (i) Re 99/2-10: Department of the Army (DA) is of the opinion that the applicability of this provision extends beyond CIA and NSA. DA recommends that the provisions of any such proposal should extend to DOD Intelligence Community entities and, indeed, perhaps to all entities within the Intelligence Community.
- (ii) $\underline{\text{Re}}$ 99/2-13: DA is of the opinion that the relief requested in this proposal should not be limited to the FBI, but, at a minimum, should also include DOD files.
- (iii) Re 99/2-16: DA believes that the provisions of this proposal should also authorize DOD counterintelligence elements access to financial records for foreign counterintelligence purposes.
- (iv) $\underline{\text{Re}}$ 99/2-19: Such provisions should also apply to the expenditure of funds for foreign individuals who have counterintelligence responsibilities to consult with DOD, as well as FBI, representatives.
- (v) $\underline{\text{Re}}$ 99/2-21: The term "Commander" in the title of this proposal should be changed to "Commodore."
- I would be glad to discuss any of the suggestions made above with you whenever it is convenient.

-2-

2. In addition to the proposals already put forth by DA, I would like to recommend the addition of the following new proposal:

Exceptional HUMINT Award Program

At DOD's request, the Director of Central Intelligence may include in the proposed Fiscal Year 1987 Intelligence Authorization Act legislation that would grant an exception to Section 1124 of Title 10, U.S. Code. The exception would permit DOD military personnel involved in intelligence collection to receive monetary awards under the Director of Central Intelligence Exceptional HUMINT Collector Award Program.

3. I sincerely appreciate the opportunity to comment on the FY 1987 Intelligence Community Legislative Program and look forward to working with all in your division throughout the legislative process.

Robert (L. Winchester Special Assistant to the Secretary of the Army for Legislative Affairs